

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LATROYA GRAYSON, :  
Plaintiff, :  
-v- :  
SEAN COMBS a/k/a “P. DIDDY, PUFF, PUFF  
DADDY, PUFFY, BROTHER LOVE,” et al., :  
Defendants. :  
  
X :  
24-CV-09857 (JAV)  
ORDER TO SHOW CAUSE

JEANNETTE A. VARGAS, District Judge:

“[S]ubject matter jurisdiction is an unwaivable *sine qua non* for the exercise of federal judicial power.” *Curley v. Brignoli, Curley & Roberts Assoc.*, 915 F.2d 81, 83 (2d Cir. 1990). Consistent with that proposition, Rule 12(h)(3) of the Federal Rules of Civil Procedure provides that “[i]f the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.”

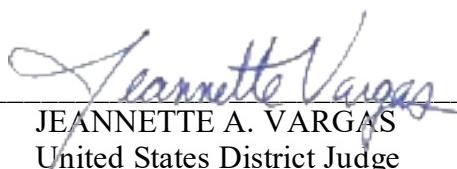
In the present case, jurisdiction is premised on diversity of citizenship, pursuant to Title 28, United States Code, Section 1332. Section 1332, however, requires “complete” diversity of citizenship, and it is well established that diversity “is not complete if *any* plaintiff is a citizen of the same state as *any* defendant.” *St. Paul Fire & Marine Ins. Co. v. Universal Builders Supply*, 409 F.3d 73, 80 (2d Cir. 2005) (emphasis added).

A review of the complaint in this action suggests that such is the case here. Plaintiff Latroya Grayson is alleged to be a resident and domiciled in Oklahoma. ECF No. 1, ¶¶ 53-54. Defendant KKJamz 105.3 is alleged to be an “Oklahoma domestic business corporation licensed to do business in Oklahoma since 1991.” Compl. ¶ 44. The Complaint is not conclusive on this point, however, as it does not allege the citizenship of either the Plaintiff or defendant KKJamz. *See Leveraged Leasing Admin. Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44, 47 (2d Cir. 1996) (For the purpose of diversity jurisdiction, “a statement of the parties’ residence is insufficient to establish their citizenship.”).

In light of the foregoing, it is hereby ORDERED that Plaintiff show cause in writing by **January 20, 2025**, why this case should not be dismissed for lack of subject matter jurisdiction. If Plaintiff fails to show cause or does not file anything by the deadline, the Court will dismiss the case for lack of subject-matter jurisdiction without further notice to the parties.

SO ORDERED.

Dated: January 6, 2025  
New York, New York

  
JEANNETTE A. VARGAS  
United States District Judge